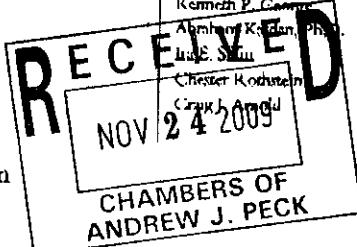


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\* Not admitted in New York

November 24, 2009

By Facsimile

Honorable Andrew J. Peck  
United States Magistrate Judge  
United States Courthouse  
Southern District of New York  
500 Pearl Street, Courtroom 20D  
New York, New York 10007-1312

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DATE FILED: 11/24/09**

Re: Island Intellectual Property LLC et al. v. Deutsche Bank Trust Company Americas et al., No. 09-cv-2675 (S.D.N.Y.)  
Our File: 43963/34

Dear Judge Peck:

As Your Honor may be aware, the Court of Appeals has granted Defendants a short stay extending the Interim Prosecution Bar until the Mandamus Petition is decided, or until further ordered by the Court, provided Defendants actually file their promised petition for a writ of mandamus by no later than noon on November 30, 2009. Plaintiffs' opposition to the Writ is due by no later than noon on December 10, 2009.

In view of the above, the parties have met and conferred and agreed to the attached schedule to extend certain proposed interim dates. The proposed Schedule does not modify the due dates for the Claim Construction hearing or the close of fact discovery.

**MEMO ENDORSED**

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP

By:

Charles R. Macedo (CM 4980)

Counsel for Plaintiffs Island Intellectual Property

and its Affiliates, Inc., MT LLC, LIDS Capital LLC, Intrasweep LLC, and

Double Rock Corporation

SO ORDERED:

Andrew J. Peck  
United States Magistrate Judge  
My fax: *not* *not* *not*  
Judge Andrew J. Peck

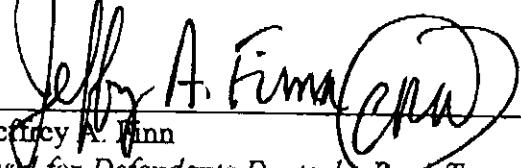
**BY FAX**

Hon. Andrew J. Peck

-2-

November 24, 2009

SIDLEY AUSTIN LLP

By: 

Jeffrey A. Finn

*Counsel for Defendants Deutsche Bank Trust  
Company Americas and Total Bank Solutions, LLC*

CRM:BC

Enclosure

cc: Hon. Victor Marrero (via Fax)  
[SidleyIP@sidley.com](mailto:SidleyIP@sidley.com) (via E-Mail only)  
[IslandIP@arclaw.com](mailto:IslandIP@arclaw.com) (via E-mail only)

# FAX TRANSMITTAL SHEET



**ANDREW J. PECK  
UNITED STATES MAGISTRATE JUDGE  
UNITED STATES DISTRICT COURT**

Southern District of New York  
United States Courthouse  
500 Pearl Street, Room 1370  
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933  
Telephone No.: (212) 805-0036

**Dated: November 24, 2009**

**Total Number of Pages: 3**

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Jeffrey A. Finn, Esq.	213-896-6600

## **TRANSCRIPTION:**

**MEMO ENDORSED 11/24/09**

**Please provide courtesy copies of the filings already made, and hereafter to be made, to the Court of Appeals. Be aware that I do not plan to extend any ultimate deadlines because of this issue.**

**Copy to: Judge Victor Marrero**